

90. The dual-sided, biocompatible, textured structure of claim 5 wherein the complex surface is arranged to stimulate high tissue ingrowth.

91. The dual-sided, biocompatible, textured structure of claim 5 wherein the complex surface is arranged to disorganize scar tissue.

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92. The dual-sided, biocompatible, textured structure of claim 13 wherein the complex surface is arranged to stimulate high tissue ingrowth.

93. The dual-sided, biocompatible, textured structure of claim 13 wherein the complex surface is arranged to disorganize scar tissue.

REMARKS/ARGUMENTS

In response to the Restriction Requirement dated July 3, 2001, in the above-identified application, Applicant hereby wishes to elect the subject matter of Group I (claims 1-8, 13 and 14) for continued prosecution in the present application. This election is being made without traverse and without prejudice to continue prosecution of those claims. The Examiner has correctly noted in his Office Action that the structures disclosed and claimed herein have utility apart from serving as a covering for an implant. The Examiner had noted the utility of such a structure for use as a hernial repair patch.

Applicants have added new claims 15-93 to more fully cover Applicant's invention. These claims are presented without the addition of new matter. While Applicant has elected Group I, directed to coverings or structures apart from their use in combination with a device (e.g., prosthetic device), Applicant has presented dependent claims 37-42, 57, 73 and 86 which include devices beyond the texturized structure of the independent claims. It is believed that presenting such dependent claims is not inconsistent with the restriction requirement. However, if the Examiner

believes that these claims should not be presented in this case, Applicant would request that the undersigned be contacted such that the claims may be removed from this case.

Applicant would request that the undersigned be contacted by telephone if any matter remains regarding the allowability of these claims.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

Prompt and favorable action on the merits of the claims is earnestly solicited. If any minor issues remain, please contact Applicants' undersigned representative at 949-567-2300.

Respectfully submitted,

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“Version with markings to show changes made”

In the title:

The title has been amended to read: Dual-Sided, Texturized Biocompatible Structure.

In the claims:

Claims 9-12 have been cancelled.

The claims have been amended as follows:

Claim 2 (Amended) The covering of claim 1 further comprising ePTFE ~~PTFE~~ material.

Claim 5 (Amended) An implantable device covering comprising:

- a sheet of flexible material having first and second surfaces,
- the first surface being flat,
- the second surface having peaks and troughs and being adapted to interface with body tissues.

Claim 6 (Amended) The covering of claim 5 further comprising ePTFE ~~PTFE~~ material.

Claim 13 (Amended) An implantable device covering comprising:

- a sheet of flexible material having first and second surfaces,
- the first surface being ~~non~~less-textured than the second surface,
- the second surface being textured and having first and second planar surfaces,
- the first and second planar surfaces being in non-coplanar relation.

The following new claims have been added:

15. A dual-sided, biocompatible, textured structure for use in a body comprising:

a structure, the structure having a first side and a second side,

characterized in that:

the first side is substantially planar, and that

the second side has a complex surface, the complex surface having a plurality of regions of varying heights, the tallest regions having a substantially planar upper surface, the planar surface defining a first plane, and the lowest regions defining a second plane, where the second plane is non-coplanar with the first plane,

wherein the complex surface is adapted for contact with the body.

16. The dual-sided, biocompatible, textured structure of claim 15 wherein the complex surface comprises a pattern.

17. The dual-sided, biocompatible, textured structure of claim 16 wherein the pattern is predictable.

18. The dual-sided, biocompatible, textured structure of claim 17 wherein the pattern is repetitive.

19. The dual-sided, biocompatible, textured structure of claim 17 wherein the pattern is uniform.

20. The dual-sided, biocompatible, textured structure of claim 16 wherein the complex surface includes a plurality of hexcels.

21. The dual-sided, biocompatible, textured structure of claim 20 wherein the hexcels comprise nested hexcels.

22. The dual-sided, biocompatible, textured structure of claim 16 wherein the patterns include geometric patterns.

23. The dual-sided, biocompatible, textured structure of claim 22 wherein the geometric pattern includes squares.

24. The dual-sided, biocompatible, textured structure of claim 22 wherein the geometric pattern includes circular patterns.

25. The dual-sided, biocompatible, textured structure of claim 15 wherein the lateral widths of the tallest regions and the lowest regions differ.

26. The dual-sided, biocompatible, textured structure of claim 25 wherein the lateral width of the tallest regions is less than the width of the lowest regions.

27. The dual-sided, biocompatible, textured structure of claim 15 wherein the ratio of the height of the second plane to the first plane measured relative to the first side is substantially 90% or less.

28. The dual-sided, biocompatible, textured structure of claim 15 wherein the ratio of the height of the second plane to the first plane measured relative to the first side is substantially 80% or less.

29. The dual-sided, biocompatible, textured structure of claim 15 wherein the ratio of the height of the second plane to the first plane measured relative to the first side is substantially 70% or less.

30. The dual-sided, biocompatible, textured structure of claim 15 wherein the ratio of the height of the second plane to the first plane measured relative to the first side is substantially 50%.

31. The dual-sided, biocompatible, textured structure of claim 15 wherein the structure is a laminated structure.

32. The dual-sided, biocompatible, textured structure of claim 31 wherein the structure is a multi-laminate structure.

33. The dual-sided, biocompatible, textured structure of claim 15 wherein the top surface of the tallest regions is substantially parallel to the surface of the lowest regions.

34. The dual-sided, biocompatible, textured structure of claim 15 wherein the complex surface is arranged to stimulate high tissue ingrowth.

35. The dual-sided, biocompatible, textured structure of claim 15 wherein the complex surface is arranged to disorganize scar tissue.

36. The dual-sided, biocompatible, textured structure of claim 15 wherein the lowest region of the complex surface comprises a fabricated surface.

37. The dual-sided, biocompatible, textured structure of claim 15 further including a device for implantation in the body, wherein the structure is disposed adjacent the device.

38. The dual-sided, biocompatible, textured structure of claim 37 wherein the textured structure is oriented away from the device.

39. The dual-sided, biocompatible, textured structure of claim 37 wherein the textured structure is oriented toward from the device.

40. The dual-sided, biocompatible, textured structure of claim 37 wherein the device is a prosthetic device.

41. The dual-sided, biocompatible, textured structure of claim 40 wherein the prosthetic device is an implant.

42. The dual-sided, biocompatible, textured structure of claim 41 wherein the implant is a gel filled implant.

43. The dual-sided, biocompatible, textured structure of claim 15 wherein the pattern includes a plurality of parallel wells.

44. The dual-sided, biocompatible, textured structure of claim 41 wherein the second plane is lower than the first plane by at least 7% of the thickness of the structure.

45. The dual-sided, biocompatible, textured structure of claim 41 wherein the second plane is lower than the first plane by at least 17% of the thickness of the structure.

46. The dual-sided, biocompatible, textured structure of claim 41 wherein the second plane is lower than the first plane by at least 27% of the thickness of the structure.

47. The dual-sided, biocompatible, textured structure of claim 41 wherein the second plane is lower than the first plane by substantially 50% of the thickness of the structure.

48. A dual-sided, biocompatible, textured structure for use in a body, comprising:
a first side, defining a first plane,

a second side, the second side having a complex texture, characterized in that the second side includes a plurality of wells, the lowest points of which define a second plane, the second plane being non-coplanar with the first plane, and further includes a plurality of structures which project in a direction substantially perpendicular to the second plane.

49. The dual-sided, biocompatible, textured structure of claim 48 wherein the complex texture comprises a pattern.

50. The dual-sided, biocompatible, textured structure of claim 49 wherein the complex texture includes a plurality of hexcels.

51. The dual-sided, biocompatible, textured structure of claim 50 wherein the hexcels comprise nested hexcels.

52. The dual-sided, biocompatible, textured structure of claim 48 wherein the structure is a laminated structure.

53. The dual-sided, biocompatible, textured structure of claim 52 wherein the structure is a multi-laminate structure.

54. The dual-sided, biocompatible, textured structure of claim 48 wherein the complex texture is arranged to stimulate high tissue ingrowth.

55. The dual-sided, biocompatible, textured structure of claim 48 wherein the complex texture is arranged to disorganize scar tissue.

56. The dual-sided, biocompatible, textured structure of claim 48 wherein the lowest region of the complex texture comprises a fabricated surface.

57. The dual-sided, biocompatible, textured structure of claim 48 further including a device for implantation in the body, wherein the structure is disposed adjacent the device.

58. The dual-sided, biocompatible, textured structure of claim 48 wherein the texture pattern includes a plurality of parallel wells.

59. The dual-sided, biocompatible, textured structure of claim 41 wherein the second plane is lower than the projecting portions by at least 7% of the thickness of the structure.

60. A dual-sided, biocompatible, textured structure for use in a body, comprising:
a sheet having a first side and a second side,
the second side having a complex texture, characterized in that the second side includes a plurality of projecting structures, the tallest portions of the projecting structures defining a first plane, the second side further including a plurality of wells, the lowest points of which define a second plane, the second plane being non-coplanar with the first plane, and
further characterized in that the projecting structures project in a direction substantially perpendicular to the second plane.

61. The dual-sided, biocompatible, textured structure of claim 60 wherein the complex texture comprises a pattern.

62. The dual-sided, biocompatible, textured structure of claim 61 wherein the complex texture includes a plurality of hexcels.

63. The dual-sided, biocompatible, textured structure of claim 62 wherein the hexcels comprise nested hexcels.

64. The dual-sided, biocompatible, textured structure of claim 60 wherein the ratio of the height of the second plane to the first plane measured relative to the first side is substantially 90% or less.

65. The dual-sided, biocompatible, textured structure of claim 60 wherein the ratio of the height of the second plane to the first plane measured relative to the first side is substantially 80% or less.

66. The dual-sided, biocompatible, textured structure of claim 60 wherein the ratio of the height of the second plane to the first plane measured relative to the first side is substantially 70% or less.

67. The dual-sided, biocompatible, textured structure of claim 60 wherein the ratio of the height of the second plane to the first plane measured relative to the first side is substantially 50%.

68. The dual-sided, biocompatible, textured structure of claim 60 wherein the structure is a laminated structure.

69. The dual-sided, biocompatible, textured structure of claim 68 wherein the structure is a multi-laminate structure.

70. The dual-sided, biocompatible, textured structure of claim 60 wherein the complex surface is arranged to stimulate high tissue ingrowth.

71. The dual-sided, biocompatible, textured structure of claim 60 wherein the complex surface is arranged to disorganize scar tissue.

72. The dual-sided, biocompatible, textured structure of claim 60 wherein the lowest region of the complex surface comprises a fabricated surface.

73. The dual-sided, biocompatible, textured structure of claim 60 further including a device for implantation in the body, wherein the structure is disposed adjacent the device.

74. The dual-sided, biocompatible, textured structure of claim 60 wherein the pattern includes a plurality of parallel wells.

75. The dual-sided, biocompatible, textured structure of claim 60 wherein the second plane is lower than the first plane by at least 7% of the thickness of the structure.

76. A dual-sided, biocompatible, textured structure for use in a body, comprising:
a first sheet having a first side and a second side,
the first side being substantially planar,
a second sheet having a first side and a second side,
the second side of the first sheet being in laminate relationship with the first side of
the second sheet, and
the second side of the second sheet having a complex surface including a plurality of
fabricated wells.

77. The dual-sided, biocompatible, textured structure of claim 76 wherein the
complex surface comprises a pattern.

78. The dual-sided, biocompatible, textured structure of claim 77 wherein the
complex surface includes a plurality of hexcels.

79. The dual-sided, biocompatible, textured structure of claim 78 wherein the
hexcels comprise nested hexcels.

80. The dual-sided, biocompatible, textured structure of claim 76 wherein the
complex surface includes a plurality of projecting portions.

81. The dual-sided, biocompatible, textured structure of claim 80 wherein the
projecting portions include a planar portion.

82. The dual-sided, biocompatible, textured structure of claim 81 wherein the
planar portions are substantially parallel to the first side of the first sheet.

83. The dual-sided, biocompatible, textured structure of claim 76 wherein the
complex surface is arranged to stimulate high tissue ingrowth.

84. The dual-sided, biocompatible, textured structure of claim 76 wherein the complex surface is arranged to disorganize scar tissue.

85. The dual-sided, biocompatible, textured structure of claim 76 wherein the lowest region of the complex surface comprises a fabricated surface.

86. The dual-sided, biocompatible, textured structure of claim 76 further including a device for implantation in the body, wherein the structure is disposed adjacent the device.

87. The dual-sided, biocompatible, textured structure of claim 76 wherein the pattern includes a plurality of parallel wells.

88. The dual-sided, biocompatible, textured structure of claim 1 wherein the complex surface is arranged to stimulate high tissue ingrowth.

89. The dual-sided, biocompatible, textured structure of claim 1 wherein the complex surface is arranged to disorganize scar tissue.

90. The dual-sided, biocompatible, textured structure of claim 5 wherein the complex surface is arranged to stimulate high tissue ingrowth.

91. The dual-sided, biocompatible, textured structure of claim 5 wherein the complex surface is arranged to disorganize scar tissue.

92. The dual-sided, biocompatible, textured structure of claim 13 wherein the complex surface is arranged to stimulate high tissue ingrowth.

93. The dual-sided, biocompatible, textured structure of claim 13 wherein the complex surface is arranged to disorganize scar tissue.